

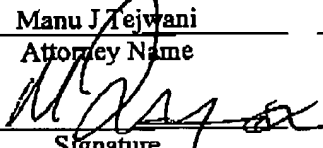
SEP 01 2006

A35998 - 074224.0118
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant (s) : Tadayoshi OKADA et al.
Serial No. : 10/663,060
Filed : September 12, 2003
Examiner : Katcheves, Basil S.
Group Art Unit : 3635
For : HIGH-STRENGTH BOLTED CONNECTION STRUCTURE
WITH NO FIRE PROTECTION

I hereby certify that this paper for S/N 10/663,060 is being facsimile
transmitted to 571-273-8300 at the United States Patent & Trademark
Office on the date indicated below

September 1, 2006	
Date of Deposit	
Manu J. Tejwani	37,952
Attorney Name	PTO Reg. No.
	September 1, 2006
Signature	Date of Signature

SECOND RENEWED PETITION TO WITHDRAW HOLDING OF
ABANDONMENT
UNDER 37 C.F.R. §1.181(a)

Mail Stop PETITION
Commissioner for Patents
Alexandria, VA 22313-1450

ATTN: PAUL SHANOSKI, SENIOR ATTORNEY
OFFICE OF PETITIONS

Sir:

Applicants respond to the "Decision on Petition Under 37 C.F.R. 1.181(A)" mailed on
March 16, 2006 ("March Decision") and "Decision on Renewed Petition Under 37 C.F.R.
1.181(A)" mailed July 17, 2006 ("July Decision"), applicants hereby renew both: the Petition To

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Withdraw Holding of Abandonment filed January 11, 2006, and the (first) Renewed Petition To Withdraw Holding of Abandonment filed January June 16, 2006. Both of these Petitions are incorporated by reference herein in their entireties.

37 C.F.R. 1.181(A)

Applicants note that the July Decision Analysis misunderstands Applicants' assertion that Advisory Action concerns applicants' RCE filing of January 11, 2006 and does not concern the previous identical-content After Final response of October 19, 2005.

The two identical-content submissions have different filing dates and therefore different legal import. The Examiner's Advisory Action explicitly refers to "THE REPLY FILED 11 January 2005[6] FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE." (See top line of Advisory Action).

Applicants respectfully submit that should no misunderstanding that this and the previous petitions are directed to timing and the improper retroactive "holding of abandonment," and not to the technical content of applicants' two submissions.

There was no finding by the USPTO at the time of Applicant's RCE filing that the October 19, 2005 claim amendments were not acceptable or did not place the application in condition for allowance. Therefore, Applicants' Jan 11, 2006 RCE filing was timely as it is based upon a pending application of at most indeterminate allow ability status. Any Advisory Action determination that the amendments did not place the application "in condition for allowance" were made after the Applicants' Jan 11, 2006 RCE filing.

Here, applicants also respectfully note that Advisory Action determination appears to be hurried and without proper examination. The Advisory Action is perfunctory: it merely states

that "for purposes of appeal, the proposed amendments will be entered," but fails to append "an explanation of how the new or amended claims would be rejected." (See Advisory Action, Item # 7).

Applicants again respectfully submit that a retroactive perfunctory justification for the holding of abandonment of the parent application is improper and unfair.

In consideration of the above items, applicants respectfully request withdrawal of the holding of abandonment, revival of the application, and processing of the RCE filed January 9, 2006.

C.F.R. § 1.182 and/or § 1.183

Applicants also respectfully renew their request that the Commissioner, if necessary, treat the Petition, the Renewed Petition and this Second Renewed Petition to withdraw the holding of abandonment as a "Petition to Waive Rules" under C.F.R. § 1.182 and/or § 1.183, which authorize suspension or waiver of requirements of the regulations in extraordinary situations when justice requires, or decision on consideration of the merits in situations not specifically provided for in the regulations.

Applicants respectfully submit that § 1.182 is applicable here because the rules do not provide for situations like here having "a retroactive determination" and "a perfunctory Advisory Action."

Under § 1.183, applicants request waiver of § 1.113 and § 1.114 rules holding that the Office Action was Final to allow renewed examination of the application on its merits.

Further under § 1.183, applicants request waiver of § 1.117 petition fees, and § 1.136 extension of time fees in connection with this petition and the alternate petitions herein.

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C.F.R. § 1.137 (b)

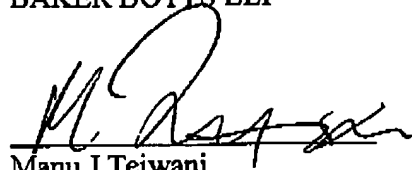
Applicants also request that the Commissioner, if necessary, treat the Petition and the Renewed Petition and this Second Renewed Petition to withdraw the holding of abandonment as a "Petition to Revive" under 37 C.F.R. § 1.137(b). Applicants submit the following statement: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Under § 1.183, applicants request waiver of § 1.117 petition fees, and § 1.136 extension of time fees in connection with this petition and the alternate petitions herein.

However, in case any fees are due, applicants hereby authorize the Commissioner to charge payment of any and all fees relating to this communication to Deposit Account No. 02-4377. A duplicate copy of this page is enclosed.

Respectfully submitted,

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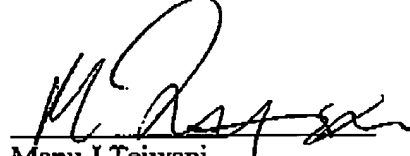
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